

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

STANLEY LOFTON,)	CASE NO. 1:07 CV 3369
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	<u>MEMORANDUM OF OPINION</u>
)	<u>AND ORDER</u>
CUYAHOGA COUNTY COURT OF COMMON)	
PLEAS, et al.,)	
)	
Defendants.)	

On October 30, 2007, plaintiff pro se Stanley Lofton, an inmate at the Marion Correctional Institution, filed this civil rights action against the Cuyahoga County Court of Common Pleas, Daniel Gaul, Kenya Gray, and Sean Jones. Plaintiff's complaint contains a request that he be permitted to proceed in forma pauperis. For the reasons stated below, this action is dismissed without prejudice.

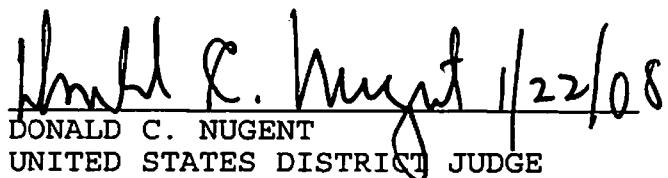
A prisoner may not bring a civil action or appeal a judgment in a civil action in forma pauperis if, on three or more prior occasions, he brought an action or appeal in a court of the United States that was dismissed on the grounds that it was frivolous, malicious or failed to state a claim upon which relief may be granted. 28 U.S.C. § 1915(g).

Lofton has on at least seven occasions filed a civil

action failing to state a claim in this court. See, Lofton v. Cleveland City Jail, 1:06 CV 1763; Lofton v. Riddle, No. 1:02 CV 1729; Lofton v. Riddle, No. 1:02 CV 388; Lofton v. McDonnell, 1:01 CV 2911; Lofton v. Sabir, 1:01 CV 2712; Lofton v. State of Ohio, 1:01 CV 2574; and Lofton v. Polorny, 1:01 CV 2535. Thus, as the complaint in the instant action does not contain allegations reasonably suggesting he is in imminent danger of serious physical injury, he may not proceed in forma pauperis.

Accordingly, this action is dismissed without prejudice. The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.


DONALD C. NUGENT
UNITED STATES DISTRICT JUDGE